

**New Shoreham Town Council Meeting
Town Hall, Old Town Road
Monday, June 4, 2012
7:00 p.m.**

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Council members Richard P. Martin and Peter B. Baute. Also present were Town Manager Nancy Dodge and for the recording of minutes Deputy Town Clerk Millicent McGinnes. Kenneth C. Lacoste was absent.

First Warden Gaffett called the meeting to order at 7:00 p.m.

Warden's Report

First Warden Gaffett reported the following:

- The Block Island School graduation is June 9, 2012 at 1:00 p.m.; all are welcome.
- The Rescue Squad will be meeting on June 7, 2012 at which they will be discussing the DMAT team and extra personnel scheduled for the 4th of July.

Second Warden Torrey reported the following:

- Governor Chaffee will be speaking at the Washington County Regional Planning Council meeting June 13th. Anyone with issues they would like to have brought up, please contact Mr. Torrey.
- The Block Island airport art project was awarded to island artist Marilyn Bogdanffy. Island resident Tracy Dillon will act as the airport's art curator to display local artisans work over the next ten years.

Public Input

From the audience, Edie Blane questioned what was being done about the eroding path beginning at the corner of Water Street by the Surf Hotel. She submitted a historical photograph (attached) showing stairs in a similar location in the past. Ms. Gaffett stated that she will ask the Town Manager to report on the issue at the next meeting.

1. Public Hearing: Proposed new Energy Component of New Shoreham's Comprehensive Community Plan

Town Planner Jane Weidman was present and reported that the proposed Energy Component of the Comprehensive Plan has been fully vetted, as it spent a year and a half with the Island Energy Plan Committee and nine months with the Planning Board. She explained that once the component is adopted it becomes a policy of the Town, but must then be approved by RI Statewide Planning. She suggested convening a group in the fall to work on plan implementation and action plans.

Attorney Eric DiMario and Planning Consultant Joseph Lombardo, both representing property owners on West Beach Road, suggested three changes to the Energy Component as follows:

- On page 40 in the "Background" section, remove the mention of the lots included in the Public Utility Zone on West Beach Road, as such mention of the site may jade the findings of a Wind Energy Conversion System (WECS) site feasibility study.
- Enact a one year moratorium on issuing a building permit for a wind turbine.
- Spell out the utility WECS application requirements and have a process in place to make an application for such.

Planner Weidman noted that the information regarding the Public Utility Zone was in the background section only and to remove it would leave a large gap in the history regarding WECS.

Dr. Baute noted that the Energy Plan states that a WECS feasibility study should be completed prior to applications and that, in itself, puts a potential WECS application years off in the distance. Ms. Gaffett stated that a moratorium is not properly before the Council tonight. She further stated that the Planning Board was recently charged with reviewing the WECS application process.

From the audience, Arlene Tunney spoke in favor of a WECS moratorium.

Ms. Gaffett suggested adding the following language to the end of the second line in the last paragraph on page 41 “and technology changes in the renewable energy industry.” An additional change was suggested in “Implementing Actions #1” section on page 42 to add “utility WECS.” The change would affect a change in the table on page 53.

Ms. Gaffett moved to amend the proposed Energy Plan by:

- Adding the following language to the end of the second line in the last paragraph on page 41 “and technology changes in the renewable energy industry.”
- Adding “utility WECS” to #1 under Implementing Actions and add the same in the corresponding table on page 53.

The motion was seconded and carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

From the audience, Bruce Montgomery suggested that Dr. Baute recuse himself from the votes, as he was chair of the Island Energy Plan Committee.

Ms. Gaffett moved to close the public hearing and adopt the Energy Component of the New Shoreham Comprehensive Community Plan as amended. Dr. Baute seconded the motion and it carried.

3 Ayes (Gaffett, Torrey, Baute) 1 Nays (Martin) 1 Absent (Lacoste)

2. Public Hearing: Proposed amendment to the Town of New Shoreham Zoning Map to add property of the William J. Penn Revocable Living Trust at Fire # 815, Plat 18, Lot 66 off Beacon Hill Road currently zoned as Residential A, to the Historic District

Property owner William Penn was present and stated that it was a milestone to historic preservation to allow property owners to join the Historic District.

Ms. Gaffett questioned whether Mr. Penn wanted to include his entire lot in the district or just the structures on the property. Mr. Penn stated he wished to include his entire lot.

Property abutter Jerry Korten questioned whether the inclusion of a neighboring property in the Historic District would have any impact on his property, or the maintenance of their joint stonewalls. Ms. Gaffett responded that it would have no effect on his property, and the regulation was not being imposed by the Town, but at the request of the property owner.

Mr. Martin moved to adopt the proposed amendment to the Town of New Shoreham Zoning Map and add the property of the William J. Penn Revocable Living Trust at Plat 18, Lot 66, Fire #815 off Beacon Hill Road to the Historic District, pursuant to the Revised Ordinances of the Town of New Shoreham, Chapter 7, Section 7(B) and based upon approvals from both the Historic District Commission and the Planning Board. Dr. Baute seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

3. Public Hearing: Proposed amendment to TNS General Ordinances Chapter 7 re: list of Historic District parcels

It was noted that the entire list of parcels included in the Historic District, including the William Penn Trust lot, Plat 18, Lot 66, is listed in this amendment. The purpose of the amendment is to add the new lot and to clean up the existing list. The list is meant to include all of the lots previously included in the Historic District. Ms. Gaffett reported that Town Attorney Packer finds that the map is the legal document regarding the district, not the list.

Ms. Gaffett moved to adopt the proposed amendment to Town of New Shoreham General Ordinance Chapter 7 re: the list of Historic District parcels as advertised, noting it includes the new lot Plat 18, Lot 66. Dr. Baute seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

4. Public Hearing: Proposed amendment to TNS General Ordinances Chapter 10 Section 10-9 re: prohibition of alcoholic beverages on public beaches.

Ms. Gaffett explained that the proposed amendment would prohibit any containers of alcoholic beverages on public beaches, whether open or closed. Police Chief Carlone was present and

stated that the amendment would give the department a tool to keep people from going on the beach with alcohol.

From the audience, Bruce Montgomery suggested including the new language in the beach fire permitting.

Dr. Baute made a motion to adopt the proposed amendment to the General Ordinances Chapter 10, Section 10-9 regarding the prohibition of alcoholic beverages on public beaches. Mr. Torrey seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

5. Public Hearing: Proposed amendment to TNS General Ordinances Chapter 9 Section 140, Shellfish Licenses re: license issuance dates

It was noted that the proposed amendment to the shellfish license ordinance, change the licensing dates as follows:

- Resident and Golden licenses: to be good from ~~June 1 through May 31~~ *May 16 through May 15* of each year;
- Seasonal licenses: to be good from ~~June 14 through October 15~~ *May 16 through October 15* of each year.

Dr. Baute made a motion to adopt the amendment to the New Shoreham General Ordinances Chapter 9, Section 140, Shellfish Licenses as proposed. Mr. Martin seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

6. Receive and act on letters from the Block Island Archers Association, Robert Bosco, United Bowhunters of Rhode Island, and Scott Schlesman re: pending RI Hunting Regulations for the 2012-2013 Season relative to archery dates and popup blinds on BI.

John Fournier of Block Island Archers Association was present and spoke in favor of eliminating the restriction on the use of popup blinds for hunting. It was noted that letters were received from the following also in support of the use of popup blinds: Richard Patenaude and Edward Klosowski of the United Bow-Hunters of Rhode Island; Will Primos of Primos Hunting, popup blind manufacturer; hunters Scott Schlesman and Robert Bosco. Discussion ensued.

Ms. Gaffett noted that the DEM is proposing that popup blinds in use display 500 inches of blaze orange.

Dr. Baute moved to rescind the Council's previous request to the RI DEM that prohibits the use of popup blinds for hunting on Block Island and request popup blinds be allowed, as they will be required to display 500 inches of blaze orange when in use. Mr. Torrey seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

7. Receive and act on letters from: Mary D Ball Committee and BI Health Services, Inc. re: Town sponsorship of fund raising events

It was noted that letters were received requesting town sponsorship for the following events:

- Mary D. Ball fundraiser for the Mary D. Fund to be held on August 4, 2012 from 8:00 p.m. until midnight at the Sullivan House.
- Medical Center Fun Run fundraiser from Town Beach to Mansion Beach and back on August 5, 2012 at 10:30 a.m.

Dr. Baute moved to sponsor the Mary D. Ball and the Medical Center Fun Run as described. Mr. Torrey seconded, and the motion carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

8. Receive and act on letter from BI Volunteer Fire & Rescue Department re: FI liquor license and Town sponsorship of July 4 fundraising steak fry

Dr. Baute moved to grant the request of the Block Island Volunteer Fire Department for a F1 liquor license for the July 4, 2012 fundraising steak fry, and to grant Town sponsorship for the event. Seconded by Mr. Martin.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

9. Receive and act on letter from Peggy Meckling re: temporary storage of a camper

It was noted that a letter was received from Peggy Meckling requesting to bring a camper to the island to store for the summer.

Dr. Baute made a motion permit Peggy Meckling to bring a camper to the island to store on Don Frageau and Diane Tripler's property on Old Mill Road until December 31, 2012, stipulating that it shall be stored completely out of site and shall not be used for human habitation.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

10. Receive and act on TNS Police Department monthly report: April 2012

Police Chief Carlone was present and reported on plans for July 4th, noting there would be extra state police on island and arrest and transport discussion are still underway.

Ms. Gaffett moved to accept the April 2012 Police Department report. Mr. Torrey seconded and the motion carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

11. Receive and act on request of the Town Clerk re: changes to TNS fee schedule

Deputy Town Clerk McGinnes reported that probate advertising will commence for three weeks, instead of two (as previously practiced) which will result in a fee increase from \$40.00 to \$45.75.

Mr. Martin moved to increase the probate advertising fee to \$45.75. Mr. Torrey seconded and the motion carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

12. Boards, Committees and Commissions:

- **Receive and act on Bob Gilpin letter of resignation from the Harbors Committee**
- **Announce current Board, Committee and Commission openings**

Ms. Gaffett moved to accept the letter of resignation of Bob Gilpin from the Harbors Committee with thanks for his service. Dr. Baute seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

Ms. Gaffett stated that there is an opening on the Harbors Committee.

13. Minutes: April 18, 2012 open and closed; May 21, 2012

Mr. Martin moved to approve the minutes of April 18, 2012 open and closed and May 21, 2012 as amended. Ms. Gaffett seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Martin, Baute) 0 Nays 1 Absent (Lacoste)

With no further business to discuss, Ms. Gaffett made a motion to adjourn at 8:55 p.m. The motion was seconded by Mr. Martin and carried.

Millicent McGinnes
Deputy Town Clerk

Approved: June 20, 2012